Amendment Under 37 C.F.R. § 1.111 U.S. Application No. 09/944,172

Attorney Docket No. Q65810

springs contacting one faces of said brushes to press said brushes in the radial, inner directions, and

thermostats attached directly or indirectly to said brushes and adapted to interrupt energization of a starting motor caused by a power supply when said brushes exceed a predetermined temperature, caused by said starting motor continuously energized with said power supply.

Please add the following new claims:

13. (New) A starter with an overheat protection device including a brush device comprising:

brush holders;

brushes slidably supported in said brush holders, respectively,

elastic members contacting one faces of said brushes to press said brushes in the radial, inner directions, and

thermostats attached directly or indirectly to said brushes and adapted to interrupt energization of a starting motor when said brushes exceed a predetermined temperature, caused by said starting motor continuously energized,

wherein said elastic members reduce the distance between said brushes and said thermostats so that said predetermined temperature is detected.